



General Assembly

January Session, 2019

Committee Bill No. 6016

LCO No. 4637



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT REQUIRING MUNICIPAL ANIMAL CONTROL FACILITIES TO COMPLY WITH DEPARTMENT OF AGRICULTURE SANITATION AND HUMANE TREATMENT REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-344 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) (1) No person shall maintain a commercial kennel until he has
4 obtained from the commissioner a license to maintain such kennel
5 under such regulations as the commissioner provides as to sanitation,
6 disease and humane treatment of dogs or cats and the protection of the
7 public safety. Upon written application and the payment of a fee of
8 four hundred dollars, the commissioner shall issue such license to be
9 effective until the second December thirty-first following issuance
10 provided the commissioner finds (A) that such regulations have been
11 complied with, and (B) in the case of each initial application for such
12 license, that the zoning enforcement official of the municipality
13 wherein such kennel is to be maintained has certified that the kennel
14 conforms to the municipal zoning regulations. Such license shall be
15 renewed biennially, not later than December thirty-first, in accordance

16 with the provisions of this section, and may be transferred by the
17 licensee to another premises upon approval of the commissioner.

18 (2) Any person who maintains a commercial kennel and who
19 advertises the services of such commercial kennel shall cause the
20 license number for such commercial kennel, as issued pursuant to this
21 section, to clearly appear in such advertisement. The commissioner
22 may adopt regulations, in accordance with chapter 54, to prescribe the
23 requirements for the appearance of the license number of a commercial
24 kennel in any form of advertisement. Such regulation may include, but
25 need not be limited to, the size, font and location of such license
26 number for any given form of advertisement.

27 (b) No person shall maintain a pet shop until he has obtained from
28 the commissioner a license to maintain such pet shop under such
29 regulations as the commissioner provides as to sanitation, disease and
30 humane treatment of animals and the protection of the public safety.
31 Upon written application and the payment of a fee of four hundred
32 dollars, the commissioner shall issue such license to be effective until
33 the second December thirty-first following issuance provided the
34 commissioner finds (1) that such regulations have been complied with,
35 and (2) in the case of each initial application for such license, that the
36 zoning enforcement official of the municipality wherein such pet shop
37 is to be maintained has certified that the pet shop conforms to the
38 municipal zoning regulations. Application for renewal of such license
39 shall be made biennially by not later than the second December thirty-
40 first following issuance. Such pet shop license may be transferred by
41 the licensee to another premises upon the approval of the
42 commissioner. The commissioner, after consultation with the
43 Commissioners of Public Health and Energy and Environmental
44 Protection, shall establish and maintain, pursuant to regulations
45 adopted in accordance with chapter 54, a list of animals which are
46 deemed to be injurious to the health and safety of the public or whose
47 maintenance in captivity is detrimental to the health and safety of the
48 animal. The sale or offer of sale of any animal which is on said list is

49 prohibited and any person who violates this provision shall be fined
50 not more than five hundred dollars.

51 (c) No person shall engage in the business of grooming or
52 maintaining a grooming facility until such person has obtained from
53 the commissioner a license to maintain such facility under such
54 regulations as the commissioner provides as to sanitation, disease and
55 humane treatment of such animals and the protection of the public
56 safety. Upon written application and the payment of a fee of two
57 hundred dollars, the commissioner shall issue such license to be
58 effective until the second December thirty-first following issuance
59 provided the commissioner finds (1) that such regulations have been
60 complied with, and (2) in the case of each initial application for such
61 license, that the zoning enforcement official of the municipality
62 wherein such grooming is to be maintained has certified that the
63 facility conforms to the municipal zoning regulations. Such license
64 shall be renewed biennially, not later than the second December thirty-
65 first following issuance, in accordance with the provisions of this
66 section, and may be transferred by the licensee to other premises upon
67 approval of the commissioner.

68 (d) No person shall maintain a training facility until such person has
69 obtained from the commissioner a license to maintain such facility
70 under such regulations as the commissioner provides as to sanitation,
71 disease and humane treatment of such animals and the protection of
72 public safety. Upon written application and the payment of a fee of
73 two hundred dollars, the commissioner shall issue such license to be
74 effective until the second December thirty-first following issuance
75 provided the commissioner finds (1) that such regulations have been
76 complied with, and (2) in the case of each initial application for such
77 license, that the zoning enforcement official of the municipality
78 wherein such training facility is to be maintained has certified that the
79 facility conforms to the municipal zoning regulations. Such license
80 shall be renewed biennially not later than the second December thirty-
81 first following issuance upon the terms required for the original license

82 and may be transferred by the licensee to another premises upon
83 approval of the commissioner.

84 (e) (1) No animal importer shall import any dog or cat into this state
85 until such person registers as an animal importer with the
86 commissioner. Such registration shall be on a form as prescribed by the
87 commissioner. Such registration shall require the submission of the
88 following information: (A) The name, mailing address, business
89 address, telephone number and Internet address of such registrant, (B)
90 if such registrant is domiciled out-of-state, the name, Connecticut
91 address and phone number of a Connecticut-based agent for service of
92 process, and (C) the number of animals brought into the state during
93 the prior year by such animal importer and the state or country of
94 origin for each such animal. Such registration shall be accompanied by
95 payment of a fee of two hundred dollars and shall be valid until the
96 second December thirty-first following such registration. Such
97 registration shall be renewed biennially not later than the second
98 December thirty-first following issuance, in accordance with the
99 provisions of this subsection, provided the commissioner determines
100 that such registrant complies with any requirements provided by the
101 commissioner as to the health, safety and humane treatment of animals
102 that is applicable to animal importers. Such registration shall not be
103 required for any employee or volunteer of a registered animal
104 importer or other person who is required to be licensed pursuant to the
105 provisions of this chapter, provided such employee, volunteer or other
106 person is not otherwise an animal importer. Any person who violates
107 the provisions of this subdivision shall be fined not more than five
108 hundred dollars.

109 (2) Any animal importer who intends to offer for sale, adoption or
110 transfer any dog or cat at a venue or location that is open to the public
111 or at an outdoor location, including, but not limited to, a parking lot or
112 shopping center, shall provide notice to the Department of Agriculture
113 and the municipal zoning enforcement officer of the town where any
114 such sale, adoption or transfer will occur, not later than ten days prior

115 to such event. Such notice shall state the date for such sale, adoption or
116 transfer event, the exact location of such event and the anticipated
117 number of animals for sale, adoption or transfer at such event. Any
118 person who fails to provide notice as required pursuant to this
119 subdivision shall be fined not more than one hundred dollars per
120 animal that is offered for sale, adoption or transfer at such event.

121 (3) For the purpose of this subsection, "animal importer" means a
122 person who brings any dog or cat into this state from any other
123 sovereign entity for the purpose of offering such dog or cat to any
124 person for sale, adoption or transfer in exchange for any fee, sale,
125 voluntary contribution, service or any other consideration. "Animal
126 importer" includes any commercial or nonprofit animal rescue or
127 adoption, humane relocation or delivery organization that is not
128 otherwise required to be licensed under the provisions of this chapter.

129 (4) The provisions of this subsection shall not be construed to apply
130 to any animal importer who offers a dog or cat for sale to a pet shop
131 that is licensed in accordance with the provisions of subsection (b) of
132 this section, provided such animal is delivered directly to a pet shop.

133 (5) The Commissioner of Agriculture may inspect any animal
134 imported by an animal importer or any record required to be kept by
135 such animal importer, provided such inspection shall not authorize the
136 entry of the commissioner into the residence of such animal importer.

137 (6) Not later than December 31, 2013, the Commissioner of
138 Agriculture shall prescribe the conditions that constitute the humane
139 treatment of animals that are applicable to animal importers. Such
140 conditions shall include, but not be limited to, the appropriate shelter,
141 availability of food and water and standard of care to be provided by
142 an animal importer to such animals.

143 (f) No person or municipality shall operate or maintain an animal
144 shelter or dog pound until [he or she] such person or municipality
145 registers such animal shelter or dog pound with the commissioner to

146 operate and maintain such animal shelter or dog pound under such
147 regulations as the commissioner provides as to sanitation, disease and
148 humane treatment of dogs or cats and the protection of the public
149 safety. Upon written application and payment of a fee of fifty dollars
150 to offset administrative costs of such registrations, the commissioner
151 shall issue such registration to be effective until the second December
152 thirty-first following issuance provided the commissioner finds (A)
153 that such regulations have been complied with, and (B) in the case of
154 each initial application for such registration, that the zoning
155 enforcement official of the municipality wherein such animal shelter or
156 dog pound is to be operated or maintained has certified that the
157 animal shelter or dog pound conforms to the municipal zoning
158 regulations. Such registration shall be renewed biennially, not later
159 than December thirty-first, in accordance with the provisions of this
160 section, and may be transferred by the registrant to another premises
161 upon approval of the commissioner. For purposes of this subsection,
162 "animal shelter or dog pound" means any municipality or private
163 entity that operates a building or facility that is used solely to house
164 homeless animals for the purpose of rescue or adoption and that is not
165 operated within a private residence.

166 (g) The commissioner may, at any time, inspect or cause to be
167 inspected by the commissioner's agents any such commercial kennel,
168 animal shelter or dog pound, pet shop, grooming facility or training
169 facility, and if, (1) in the commissioner's judgment such kennel, shelter
170 or pound, pet shop, grooming facility or training facility is not being
171 maintained in a sanitary and humane manner or in a manner that
172 protects the public safety, (2) the commissioner finds that contagious,
173 infectious or communicable disease or other unsatisfactory conditions
174 exist, or (3) in the case of a pet shop, the commissioner finds any
175 violation of the provisions of section 22a-381d, the commissioner may
176 issue a fine to such commercial kennel, shelter or pound, pet shop,
177 grooming facility or training facility of not more than five hundred
178 dollars for each animal that is the subject of such violation, may issue
179 such orders as the commissioner deems necessary for the correction of

180 such conditions and may quarantine the premises and animals. If the
181 municipality or owner or keeper of such kennel, shelter or pound, pet
182 shop, grooming facility or training facility fails to comply with the
183 regulations or orders of the commissioner, or fails to comply with any
184 provision of the statutes or regulations relating to dogs or other
185 animals, the commissioner may revoke or suspend such license or
186 registration, as applicable. Any municipality or person aggrieved by
187 any order issued under the provisions of this section may appeal
188 therefrom in accordance with the provisions of section 4-183. Any
189 municipality or person maintaining any commercial kennel, animal
190 shelter or pound, pet shop, grooming facility or training facility
191 without having obtained a license or registration for the same, as
192 applicable or after any such license or registration has been revoked or
193 suspended as provided herein shall be fined not more than two
194 hundred dollars. The provisions of this section shall not apply to
195 veterinary hospitals, except those boarding or grooming dogs for
196 nonmedical purposes, and other establishments where all the dogs or
197 animals were born and raised on the premises where they are kept for
198 sale.

199 (h) The provisions of subsections (a) to (d), inclusive, of this section
200 requiring certification by the zoning enforcement official that every
201 commercial kennel, pet shop, grooming facility and training facility
202 conforms to the zoning regulations of the municipality wherein such
203 kennel, pet shop, grooming facility or training facility is maintained
204 shall not apply to any person who is licensed under said subsections
205 and maintained any such kennel, pet shop or grooming facility prior to
206 October 1, 1977, provided such person does not relocate such kennel,
207 pet shop, grooming facility or training facility in a zone in which such
208 kennel, pet shop, grooming facility or training facility is not a
209 permitted use. In addition, the provisions of said subsections and
210 subsection (f) requiring certification by the zoning enforcement official
211 that every commercial kennel, animal shelter or pound, pet shop,
212 grooming facility and training facility conforms to the zoning
213 regulations of the municipality wherein such kennel, shelter or pound,

214 pet shop, grooming facility or training facility is maintained shall not
215 apply when a zone in which such kennel, shelter or pound, pet shop,
216 grooming facility or training facility is maintained is changed to a use
217 which does not permit such kennel, shelter or pound, pet shop,
218 grooming facility or training facility in such zone.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	22-344

Statement of Purpose:

To require municipal shelters and dog pounds to abide by the same standards as other registered animal facilities.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. TURCO, 27th Dist.; REP. WINKLER, 56th Dist.
REP. ARNONE, 58th Dist.

H.B. 6016